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LONG ISLAND OFFICE

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November 18, 2011

VIA ECF

Hon. Sandra J. Feuerstein, U.S.D.J.
United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722-4438

Re: *W&D Imports, et al. v. Lia, et al.*
Civil Action No.: 11-cv-4144 (SJF)(ETB)

Dear Judge Feuerstein:

This firm represents defendants Michael Saporito, All Star Motors, LLC d/b/a Hamilton Honda, and All Star Motors of L.I., Inc. in the above referenced matter (collectively, "Defendants"). Plaintiffs W&D Imports, Inc. d/b/a Willis Honda and David Davis (collectively, "Plaintiffs") secured the Court's approval to submit a five-page pleading in order to comment upon two documents they relied on as a basis for their Complaint, but which they claim not to have seen, and which were submitted as part of Defendants' reply. Specifically, Plaintiffs have been granted leave to "comment upon the impact" of a 2003 Memorandum of Understanding and 2006 letter (Exhibits A and B of the Reply Declaration of Francis X. Riley III, Esq.).

Although Plaintiffs claim that they were never in possession of those documents, Plaintiffs widely discussed and quoted those documents in their Complaint and opposition to Defendants' motion. Accordingly, Plaintiffs have obtained the right to submit what is actually a second opposition to Defendants' motion. Accordingly, Defendants respectfully request the Court's leave to submit a reply of no more than three (3) pages to that further opposition. Defendants propose that their reply be filed and served by November 29, 2011.

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Defendants appreciate Your Honor's consideration of this request.

Respectfully submitted,

/s/ Francis X. Riley III

Francis X. Riley III

cc: All counsel of record (via ECF)

Order

The application is:

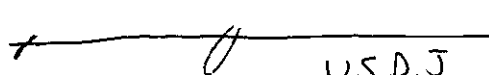
☐ **granted**

☒ **denied**

☐ **referred to Magistrate Judge _____ for**

☐ **decision**

☐ **report and recommendation**


U.S.D.J. 11/21/2011